

AMENDED

Serial No.

21228

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office

APR 26 1963

Returned to applicant for correction

MAY 15 1963

Corrected application filed

MAY 15 1963

Map filed

The applicant: LYLE L. FREY and OLGA V. FREY
STAR ROUTE
 of Winnemucca, County of Humboldt,

State of Nevada, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

- The source of the proposed appropriation is underground
Name of stream, lake or other source.
- The amount of water applied for is 8.0 second-feet
One second-foot equals 448.83 gals. per min.
 (a) If stored in reservoir give number of acre-feet acre-feet
- The water to be used for irrigation and Domestic
Irrigation, power, mining, manufacturing, domestic, or other use.
- If use is for:
 - Irrigation (state number of acres to be irrigated) 456.32
 - Stockwater (state number and kinds of animals to be watered)
 - Other use (describe fully under "No. 11. Remarks")
 - Power:
 - Horsepower developed
 - Point of return of water to stream
- The water is to be diverted from its source at the following point: NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 33, T. 41 N., R. 37 E., M.D.B.&M., or at a point from which the NE corner of said
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be stated.
Section 33 bears N. 70°00'15" E., a distance of 883.80 feet.
- Place of use E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 29;
Describe by legal subdivision, if on unsurveyed land it should be so stated.
N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 33 and portions of S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 28; all in T. 41 N., R. 37 E., M.D.B.&M.
- Use will begin about January 1 and end about December 31, of each year.
Month Month
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Well, pump and ditches

State manner in which water is to be diverted; whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works.....\$4,000.00
10. Estimated time required to construct works.....One year
11. Remarks.....Water will be commingled with other permits and rights
appurtenant to same lands. A new well was drilled 27 feet SW of
old well under Permit Nos. 20178 and 12914. The new well draws from
same know aquifer as the old well, which is abandoned.

s/ Olga V. Frey and
Applicant s/ Lyle L. Frey

By s/ Donald Leighton

Compared hs/ns hs/ns

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to any other ground water development in the area. A substantial weir or other type of measuring device must be installed and measurements of water use kept. The well shall be equipped with a 2-inch opening and an air line for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times. This permit is limited to supplemental use and is appurtenant to 358.23 acres having existing water rights.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 5.4 cubic feet per second, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before July 26, 1966
Proof of commencement of work shall be filed before August 26, 1966
Work must be prosecuted with reasonable diligence and be completed on or before July 26, 1967
Proof of completion of work shall be filed before August 26, 1967
Application of water to beneficial use shall be made on or before July 26, 1970
Proof of the application of water to beneficial use shall be filed on or before August 26, 1970
Map in support of proof of beneficial use shall be filed on or before August 26, 1970

Commencement of work filed AUG 24 1966
Completion of work filed AUG 24 1966
Proof of beneficial use filed AUG 23 1971
Cultural map filed AUG 23 1971
Certificate No. 2742 Issued 3-2-72
Recorded 3-9-72 Bk 64 Page 357
H. M. B. H. County Recorder
218 (Rev.)

WITNESS MY HAND AND SEAL this 26th day
of January, 1966

GEORGE W. HENNEN
State Engineer

By *Robert P. Vistinger*
Assistant State Engineer